

Reconsideration is respectfully requested of the objection to claim 38. The Examiner alleges that "Following any independent claim referring to, for example, a computer system or a method, the dependent claims should refer to –the computer system of claim xx– or –the method of claim xx...– respectively. For instance, dependent claims 32-46 should recite -the method- as opposed to ‘a method’.” Applicant submits that there is nothing inherently wrong with “A method as”. That language exists in numerous patents. See for example US Patents 6,930,981, 6,934,270, 6,944,458, and 6,954,884. Thus it is respectfully requested that this objection be withdrawn.

Reconsideration is respectfully requested of the objection to claim 1. The Examiner alleges that “Regarding claim 1, line 14, in the steps of ‘calculating and deducting in the central clearinghouse rebates determined by said merchant...’ appear to be inconsistent or ambiguous since the merchant has already (computed) determined the said rebates.” It is submitted that the text is correct because the merchant has only determined the available rebates. Thus it is respectfully requested that this objection be withdrawn.

Reconsideration is respectfully requested of the objection to claim 4. The Examiner alleges that “Concerning claim 4, ‘...the non-profit body...’ should be replaced with –...organization...– or —...affiliated organization...- since independent claim 2 never refers to a non-profit body or non-profit organization. Applicant submits

that in claim 4, "non-profit body" is a further definition of organization and therefore permissible and correct. Thus it is respectfully requested that this objection be withdrawn.

Reconsideration is respectfully requested of the rejection of claims 1 to 46 as unpatentable over Hovakimian in view of the "Flowers as a Gift" Article as well as the "Flowers as a Gift" Article in view of Hovakimian.

The claims are believed to be distinct and non-obvious from any of the references cited. In the present claims, the association is between the supporter and the non profit organization as appears in the specification in Fig. 1 where the merchant is outside the loop from supporter to the nonprofit. There is no contact between the merchant and the nonprofit. This is expressed for example in claim 2 as "in the processor system associating the identification of a supporter with a merchant and associating a supporter with an affiliated organization in response to each transaction between a merchant and a supporter,". It is more specifically expressed in new claims 47 to 54.

In Hovakimian the donation is from the bank or central processor on the basis of the Purchaser of Supporter's selection of charity or organization. The Bank donor is part of the selection loop. The examiner admits that Hovakimian does not expressly disclose the steps of:

Providing by the merchant, not the card issuer, the rebates, as determined by the merchant or product vendor, to the donor or the purchaser, wherein the calculated rebates are to be deducted by the merchant from the donor's purchase and paid by the merchant to selected charitable organizations; and

Maintaining a schedule of rebates, as determined by one or more merchants, due to one or more charities.

Further, the Examiner does not recognize that Hovakimian has a direct association between merchant and nonprofit and limits the nonprofits available to the supporter.

Flowers also discloses a direct the association between merchant and nonprofit and limits the nonprofits available to the supporter. As admitted by the Examiner, page 6, penultimate paragraph, it is the merchant that maintains the charity list. This is also true in Giant Food (mentioned by the Examiner) where the merchant determines the nonprofit from which the supporter must choose.

The other references also fail by disclosing associations that limit the nonprofits available to the supporter

The remaining references not cited against the claims add nothing to the aforementioned to make the claims obvious.

In view of the above it is respectfully requested that the claims be allowed and the case passed to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leo Stanger', written in a cursive style.

Leo Stanger
Registration No. 19,188

P.O. Box 1455
382 Springfield Avenue
Summit, NJ 07901
(908) 277-8588

am13

THIS PAGE BLANK (USPTO)